

Case No. 5658/986DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled QUICK ADJUSTING PLIERS the specification of which:

- ☐ is attached hereto.
- ☒ was filed on November 21, 2003 as Application Serial No. 10/718,782.
- ☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:


(Application Serial No.)	(Filing Date)	
10/406,621	April 2, 2003	pending
(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Inventor's Signature	<u>David P. Engvall</u>	Date: <u>3-22-04</u>
Full name of sole or first inventor	<u>David P. Engvall</u>	
Residence	<u>Beatrice, NE</u>	
Citizenship	<u>U.S.A.</u>	
Post Office Address	<u>322 W. Darwin Street, Beatrice, NE 68310</u>	
Inventor's Signature	<u>Jeffery L. Ditzler</u>	Date: <u>3-24-04</u>
Full name of second inventor	<u>Jeffery L. Ditzler</u>	
Residence	<u>Lincoln, NE</u>	
Citizenship	<u>U.S.A.</u>	
Post Office Address	<u>4136 No. 23rd Street, Lincoln, NE 68521</u>	
	<u>144 QUAIL HAVEN DR</u>	
	<u>TROUTMAN, NC 28166</u>	

Case No. 5658/986

Inventor's Signature
Full name of third inventor
Residence
Citizenship
Post Office Address



Gene L. Tyser

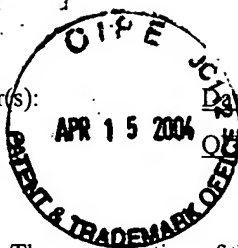
Wilbur, NE

U.S.A.

1826 Country Road N, Wilbur, NE 68365

Date: 3.31.04

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Inventor(s): David P. Engvall, Jeffery L. Ditzler, and Gene L. TyserTitle: QUICK ADJUSTING PLIERS**POWER OF ATTORNEY**

The specification of the above-identified patent application:

- ☐ is attached hereto
☒ was filed on November 21, 2003 application Serial No. 10/718,782.

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

John C. Freeman-34,438
 Michael P. Chu-37,112

Please address all correspondence and telephone calls to John C. Freeman in care of:

Brinks Hofer Gilson & Lione
 P.O. Box 10395
 Chicago, IL 60610
 (312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from John M. Wilke, Esq. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

Irwin Industrial Tool Company, a Delaware Corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
 OR
☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel ____, frame ____.
 OR
☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From ____ To: ____
 The document was recorded in the Patent and Trademark Office at Reel ____, frame ____, or a copy thereof is attached.
 2. From ____ To: ____
 The document was recorded in the Patent and Trademark Office at Reel ____, frame ____, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: Matthew Popik Date: 4/1/04
 Name: MATTHEW POPIK
 Title: V.P. of Engineering

PATENTS ONLY

PATENTS ONLY

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:

David P. Engvall
Jeffery L. Ditzler
Gene L. Tyser

2. Name and Address of Party(ies) receiving an interest:

Name: Irwin Industrial Tool Company
Internal Address:
Street Address: 29 East Stephenson Street
City: Freeport
State/Zip: Illinois / 61032

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

Additional name(s) and addresses attached?

☐ Yes ☒ No

3. Description of the interest conveyed:

☒ Assignment☐ Change of Name

Other:

☐ Security Agreement☐ MergerExecution Date: March 31, 20044. Application number(s) or patent number(s). Additional sheet attached? ☐ Yes ☒ No

If this document is being filed together with a new application, the execution date of the application is:

Date

A. Patent Application No.(s)

10/406,621

10/718,782

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-42006. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 80.00☒ Enclosed☐ Authorized to be charged to Deposit Account No. 23-19258. ☒ Please charge any deficiencies in fee or credit any overpayment to Deposit Account No. 23-1925.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John C. Freeman

Name of Person Signing

Signature

April 12, 2004

Date

Total number of pages including cover sheet, attachments, and document: 3

ASSIGNMENT

WHEREAS, David P. Engvall, Jeffery L. Ditzler, and Gene L. Tyser, hereinafter called the "Assignors", have made the invention described in United States Patent Application Serial Number 10/406,621, filed on April 2, 2003, and entitled QUICK ADJUSTING PLIERS, and the invention described in United States Patent Application Serial Number 10/718,782, filed on November 21, 2003, and entitled QUICK ADJUSTING PLIERS;

WHEREAS, Irwin Industrial Tool Company, a corporation organized and existing under the laws of the State of Delaware, having a place of business at 29 East Stephenson Street, Freeport, Illinois, 61032, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the inventions and the patent applications identified above, and all patents which may be obtained for said inventions, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt of which by the Assignor from the Assignee is hereby acknowledged, the Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the inventions and the patent applications identified above, any future non-provisional applications, and any patents that may issue for said inventions in the United States; together with the entire right, title and interest in and to said inventions and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignor hereby covenants and agrees, for both the Assignor and the Assignor's legal representatives, that the Assignor will assist the Assignee in the prosecution of the patent applications identified above, and any non-provisional patent application claiming priority thereto; in the making and prosecution of any other patent applications that the Assignee may elect to make covering the inventions identified above; in vesting in the Assignee like exclusive

title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said inventions, or any such patent applications or patents; and that the Assignor will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out the terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignor has executed this agreement.

DATED:

3-22-04

David P. Engvall
David P. Engvall

STATE OF

North Carolina

COUNTY OF

Mecklenburg ss.

I, Patricia Plummer, a Notary Public in and for the County and State aforesaid, do hereby certify that David P. Engvall, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 22nd day of March, 2004.

Patricia Plummer
Notary Public

My Commission Expires: 2-24-08

DATED:

March 24, 2004

Jeffery L. Ditzler
Jeffery L. Ditzler

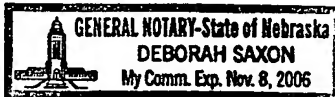
STATE OF Nebraska)

) ss.

COUNTY OF Lancaster)

I, Deborah Saxon, a Notary Public in and for the County and State aforesaid, do hereby certify that Jeffery L. Ditzler, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 24 day of March, 2004.



Deborah Saxon
Notary Public

My Commission Expires: 11-8-06

DATED:

3.31.04

Gene L. Tyser
Gene L. Tyser

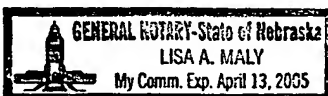
STATE OF Nebraska)

) ss.

COUNTY OF Saline)

I, Lisa A. Malý, a Notary Public in and for the County and State aforesaid, do hereby certify that Gene L. Tyser, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 31st day of March, 2004



Lisa A. Malý
Notary Public

My Commission Expires: 4-13-05